

PROB 12C  
(01/05)

**United States District Court  
for  
Eastern District of Missouri**

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Joseph Benard Bowens

Case Number: 1:09CR00041CAS

Name of Sentencing Judicial Officer: The Honorable Charles A. Shaw  
United States District Judge

Date of Original Sentence: July 28, 2009

Original Offense: Firearms

Original Sentence: 24 month(s) probation

Type of Supervision: Probation

Date Supervision Commenced: July 28, 2009  
Expiration Date: December 3, 2011

Assistant U.S. Attorney: Keith Sorrell

Defense Attorney: Carter Collins Law

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**PETITIONING THE COURT**

- ☒ To issue a warrant  
☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

**Violation Number**

General Condition - The defendant shall not commit another federal, state, or local crime.

General Condition - The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance.

Standard Condition #9 - The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.

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### **Nature of Noncompliance**

On November 8, 2010, Bowens was arrested by the Caruthersville Police Department during a traffic stop. The officer made contact with the driver, Bowens, and passenger, Doquita Williams. Bowens' license was found to be revoked and a search of the vehicle resulted in the discovery of a white rock like substance that field tested positive for cocaine located on the driver's side floor board, drug paraphernalia, and what appeared to be a small quantity of marijuana. The offender has been charged with Driving While Revoked, Possession of Controlled Substance Except 35 Grams or Less of Marijuana ( case number 10PE-CR01015), and Possession of Up to 35 Grams of Marijuana and Unlawful Use of Drug Paraphernalia (case number 10PE-CR01016). Bowens is scheduled to appear in Pemiscot County Court for a Preliminary Hearing on December 16, 2010 on 10PE-CR01015 and for a bench trial on December 16, 2010 on 10PE-CR01016. He remains in custody in the Pemiscot county jail.

When questioned regarding the pending drug offense, Bowens stated that the drug related items belonged to Ms. Williams and that he was willing to cooperate to clear himself. He further stated that in regards to the Driving While Revoked, that he had gone to SATOP and paid the money to get his license re-instated and was unsure why his license was returned as Revoked.

### **Violation Number**

Special Condition - The defendant shall abstain from the use of alcohol and/or all other intoxicants.

### **Nature of Noncompliance**

On October 30, 2010, the offender submitted to a urinalysis at Comprehensive Consulting that tested positive for alcohol.

When questioned regarding his positive alcohol, Bowens denied the conduct.

### **Violation Number**

General Condition - The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance.

### **Nature of Noncompliance**

The offender tested positive for cocaine on August 9, 26, 31, 2010, and September 9,14, and 21 2010.

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When questioned regarding his drug use, Bowens admitted to using cocaine near the beginning of August 2010, but denied any other drug use.

**Violation Number**

Special Condition - The defendant shall participate in a drug or alcohol abuse treatment program approved by the United States Probation Office, which may include substance abuse testing, counseling, residence in a Community Corrections Center, residence in a Comprehensive Sanctions Center, Residential Re-Entry Center, or inpatient treatment center or hospital. The defendant shall pay for the costs associated with substance abuse services based on a co-payment fee established by the United States Probation Office. Co-payments shall never exceed the total cost of services provided.

**Nature of Noncompliance**

Bowens failed to submit to scheduled urinalyses on July 17 and 22, 2010, as well as August 5 and 7, 2010.

**Previous Violations**

On July 12, 2010, the Court was notified of Bowens' failure to attend substance abuse treatment and his use of a controlled substance. Bowens was placed on home confinement, an intensive phase of drug aftercare and mental health counseling

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**U.S. Probation Officer Recommendation:**

The term of supervision should be  
☒ [X] revoked.

I declare under penalty of perjury that the foregoing  
is true and correct.

Executed on November 17, 2010

|           |   |  |
|-----------|---|--|
| Approved, |   |  |
|           |  |  |
| by        | _____   | by _____   |
|           | K. Dean Miller  | Jennifer Rukstad   |
|           | Supervising U.S. Probation Officer  | U.S. Probation Officer   |
|           | Date: November 17, 2010   | Date: November 17, 2010  |

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**THE COURT ORDERS:**

- ☐ [ ] No Action  
☒ [ x ] The Issuance of a Warrant  
☐ [ ] The Issuance of a Summons Appearance Date & Time:  
☐ [ ] Other



\_\_\_\_\_  
Signature of Judicial Officer

11/17/10

\_\_\_\_\_  
Date